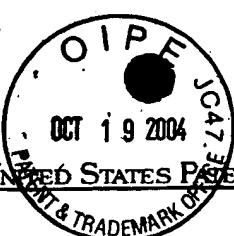


*JFIN*

10-20-04

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/849,291	05/19/2004	Martin Devenney	(H103-1188-US02) (2002-09)

## CONFIRMATION NO. 5607

## FORMALITIES LETTER



\*OC00000013266551\*

000321  
SENNIGER POWERS LEAVITT AND ROEDEL  
ONE METROPOLITAN SQUARE  
16TH FLOOR  
ST LOUIS, MO 63102

Date Mailed: 07/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/21/2004 HDENESS1 00000036 10049291

FILED UNDER 37 CFR 1.53(b)

)1 FC:1051

130.00 00

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

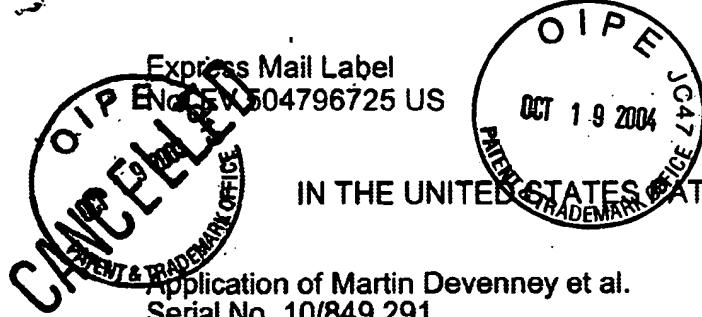
  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Express Mail Label  
ENCL# 504796725 US

(H103-1188-US02)  
(2002-094R) SMX 2017.2  
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Martin Devenney et al.  
Serial No. 10/849,291  
Filed May 19, 2004  
Confirmation No. 5607

Art Unit 1746

For PLATINUM-INDIUM-IRON/TUNGSTEN/MANGANESE FUEL CELL  
ELECTROCATALYST

October 19, 2004

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NON-PROVISIONAL APPLICATION - FILING DATE GRANTED**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

In response to the "Notice to File Missing Parts of Non-Provisional Application - Filing Date Granted," dated July 19, 2004, enclosed is Applicants' signed Declaration and Power of Attorney in the above-referenced application, as well as a Separate Paper identifying attorney/agents to be designated of record. A copy of the Notice is also returned herewith.

Also enclosed is a check in payment of the surcharge and one-month extension fee.

An assignment by the inventors to MEMC Electronic Materials, Inc. is being faxed today.

Respectfully submitted,

Derick E. Allen, Reg. No. 43,468  
SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

DEA/skd  
\*Enclosures  
Mail Stop Missing Parts

10/21/2004 HDENESS1 00000036 10849291

H2 FC:1251

110.00 DP

~~CANCELLED~~  
PATENT & TRADEMARK OFFICE  
O I P  
OCT 19 2004  
**FEE TRANSMITTAL**

Application Number 10/849,291

Filing Date May 19, 2004

Confirmation No. 5607

Inventor(s) Martin Devenney et al.

Group Art Unit 1746

Attorney Docket Number (H103-1188-US02) (2002-094R) SMX 2017.2

**METHOD OF PAYMENT**

The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.

Applicant claims small entity status.

2.  Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1.  BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)

2.  EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_

Total Claims \_\_\_\_\_

Independent Claims \_\_\_\_\_

Multiple Dependent Claims \_\_\_\_\_

3.  ADDITIONAL FEES Subtotal (3) \$ 240.00

Surcharge - late filing fee or oath  
 Surcharge - late provisional filing fee or cover sheet  
 Extension for reply within first month  
 Notice of Appeal  
 Filing a Brief in Support of an appeal  
 Request for ex parte Reexamination  
 Petitions to the Commissioner  
 Submission of Information Disclosure Statement  
 Recording each patent assignment per property  
 Request for Continued Examination  
 Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT \$ 240.00**

Derick E. Allen  
Derick E. Allen, Reg. No. 43,468

10-19-04

Date

DEA/skd

Express Mail Label No. EV 504796725 US